



## **Adapted Privacy Impact Assessment**

# **Ohmsett Customer Relationship Management (CRM) Program**

**9 Aug 2022**

### **Contact**

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## SECTION 1: Specific Purpose of the Agency's Use of the Third-Party Website or Application

- 1.1 What is the specific purpose of the agency's use of the third-party website or application and how does that use fit with the agency's broader mission?

Ohmsett is the National Oil Spill Response Research and Renewable Energy Test Facility that is located on a naval base, Naval Weapons Station Earle, New Jersey. It is a Government Owned Contractor Operated (GOCO) test facility used by government agencies, private entities, and academia, both domestically and from around the world, to test, train, and improve oil spill response. Many of today's commercially available oil spill response products have been tested at Ohmsett and a considerable body of knowledge, including performance data, has been obtained there. This data is used by manufacturers for product development and validation, and by response planners in reviewing and approving any oil handling or oil-producing facility response and contingency plans.

Title VII of the Oil Pollution Act of 1990 mandates the long-term use of Ohmsett. The Government Performance and Results Act (GPRA) and the GPRA Modernization Act (GPRAMA), require federal agencies to develop performance goals and report on whether they're meeting those goals. Applied Research Associates Inc. [contractor] manages and operates the facility and is required by law to actively market the facility to maximize its use.

The contract's marketing director [Marketing Director] uses the following tools for the Ohmsett Customer Relationship Management (CRM) Program: ACT!, Constant Contact and LinkedIn. CRM efforts promote testing, training, and research opportunities and activities at Ohmsett.

ACT! is used to maintain the subscriber database. Constant Contact is used to schedule email campaigns to the oil spill response community and other interested parties. An Ohmsett page on LinkedIn posts current activities at Ohmsett, but no information about individuals is collected.

The Ohmsett Gazette is a biannual newsletter to inform subscribers about testing, research, and training activities at the facility; the Gazette is distributed both electronically via Constant Contact and in hard copy by a print house. Subscribers include individuals, current and potential customers who opt-in to receive the publication and information about Ohmsett.

- 1.2 Is the agency's use of the third-party website or application consistent with all applicable laws, regulations, and policies? What are the legal authorities that authorize the use of the third-party website or application?

Title VII of the Oil Pollution Act of 1990 mandates the long-term use of Ohmsett. The Government Performance and Results Act (GPRA) and the GPRA Modernization Act



(GPRAMA), require federal agencies to develop performance goals and report on whether they're meeting those goals. The Ohmsett utilization measure is part of BSEE's GPRAMA reporting. The contractor that manages and operates the facility is required to actively market the facility to maximize its use.

The Marketing Director is responsible for managing the tools for the Customer Relationship Management Program in accordance with applicable laws, regulations, and policies.

## **SECTION 2: Any PII that is Likely to Become Available to the Agency Through the Use of the Third-Party Website or Application**

### 2.1 What PII will be made available to the agency?

While BSEE owns the CRM data, it does not have direct access to the information. Data may be requested by BSEE Oil Spill Prevention Division (OSPD) for an authorized purpose on a need-to-know basis.

Only the Marketing Director has access to the data collected directly from subscribers. The information is used to manage CRM activities in accordance with the requirement to maximize utilization of the Ohmsett facility. Information collected from subscribers is business contact information (i.e., name, company name, business email and phone number, physical address). Some subscribers may choose to provide personal contact information.

### 2.2 What are the sources of the PII?

Information is collected directly from individuals who wish to be informed of Ohmsett activities. Interest in Ohmsett comes from domestic and international individuals. Subscribers may be members of the public, industry representatives, non-governmental organization representatives, members of research or educational institutions, or federal, state, local, or tribal officials.

### 2.3 Will the PII be collected and maintained by the agency?

While BSEE owns the CRM data, it does not have direct access to the information. Data may be requested by BSEE Oil Spill Prevention Division (OSPD) for an authorized purpose on a need-to-know basis.

The Marketing Director collects and maintains the PII needed to manage the Ohmsett CRM Program using ACT!, Constant Contact, LinkedIn, and emails sent directly to the Marketing Director.

The Marketing Director plans to have a Constant Contact signup form on the Ohmsett website where individuals can voluntarily submit their email addresses. The Ohmsett Privacy Notice is visible and new subscribers will also have the Constant Contact privacy



notice available on that site. By completing the subscription signup process through this method, individuals will give Constant Contact permission to share the requested information with Ohmsett CRM. At the bottom of each email subscribers receive, there is a link to unsubscribe or update their contact information.

- 2.4 Do the agency's activities trigger the Paperwork Reduction Act (PRA) and, if so, how will the agency comply with the statute?

No. BSEE is not using Constant Contact to survey the public or in any manner that would trigger the requirements of the Paperwork Reduction Act.

### **SECTION 3: The Agency's Intended or Expected Use of the PII**

- 3.1 Generally, how will the agency use the PII described in Section 2.0?

The Marketing Director schedules email campaigns to promote testing, research, and training opportunities available to the oil spill response community and other interested parties. The Director also publishes and distributes the biannual Ohmsett Gazette; the Gazette is distributed both electronically and in hard copy. Subscribers opt-in to receive publications and information about Ohmsett. Requests to unsubscribe using the link at the bottom of a campaign email are processed immediately, requests via email sent directly to the Marketing Director are typically processed the next business day. The Marketing Director researches any bounce backs from inactive emails or undeliverable-as-addressed-mail for errors; if no error then those addresses are archived until the retention period and then disposed.

- 3.2 Provide specific examples of the types of uses to which PII may be subject.

Subscriber contact information is maintained in an ACT! database. Email campaigns are sent from Constant Contact to which only email addresses are typically uploaded; on occasion, first names will be uploaded to personalize the message. The Marketing Director can produce email campaign reports: Email open and click rates (by individual subscriber or aggregate), Universal Opt-out preferences, Emails submitted, Emails sent, Clicks by link, Bounces, Opt-out.

Subscriber data is also used to distribute the Ohmsett Gazette, a biannual newsletter to inform about testing, research, and training activities at the facility; the Gazette is distributed both electronically via Constant Contact and in hard copy by a print house.



## SECTION 4: Sharing or Disclosure of PII

- 4.1 With what entities or persons inside or outside the agency will the PII be shared, and for what purpose will the PII be disclosed?

While BSEE owns the CRM data, it does not have direct access to the information. Data may be requested by BSEE Oil Spill Prevention Division (OSPD) for an authorized purpose on a need-to-know basis.

Information is not shared with other external Federal agencies except in cases where sharing the information is required by law or authorized under the Privacy Act and published routine uses in the DOI-08, Social Networks SORN, which may be viewed at <https://www.doi.gov/privacy/sorn>.

The information is used for marketing purposes and to process requests to modify or cancel subscription preferences. The Marketing Director shares contact information with the engineers at Ohmsett to follow-up with customers who request testing and research information.

The hard copy newsletter is sent to an external print/mail house vendor. The purchase order contains a link to the GOCO's Terms and Conditions, which includes links to applicable federal acquisition requirements. By accepting the order, the vendor agrees to the Terms and Conditions, which include confidentiality, disclosure of information, and records retention. Ohmsett provides a mailing list in an Excel spreadsheet via email to the printer. The mailing house validates the list against the U.S. Postal Service National Change of Address database for accuracy. The list contains name, company, and address. The printer retains the mailing list for fourteen (14) months.

As part of its marketing efforts, the GOCO maintains an Ohmsett page on LinkedIn to post current activities at Ohmsett, but no information about individuals is collected.

- 4.2 What safeguards will be in place to prevent uses beyond those authorized under law and described in this PIA?

Contractor personnel are required to complete security, privacy, and records management training to ensure they understand their responsibilities to protect individual privacy and appropriately manage information for BSEE. Contractor personnel with significant privacy responsibilities are also required to complete role-based privacy training on an annual basis.

Access to CRM data is limited to the Marketing Director who manages the program to promote Ohmsett. A minimal amount of PII is collected and used to carry out CRM Program responsibilities. For example, email campaigns typically use just an email address but occasionally the first name is added for personalization, while hardcopy mailings of Ohmsett Gazette use name and mailing address.



## SECTION 5: Maintenance and Retention of PII

### 5.1 How will the agency maintain the PII, and for how long?

Ohmsett CRM will maintain subscriber information or inquiries from current and potential customers for no longer than is useful to facilitate and manage subscription services or respond to inquiries related to the use of the Ohmsett facility.

Individuals who have subscribed may unsubscribe at any time, after which point the Ohmsett Marketing Director will no longer retain their information in the CRM program.

### 5.2 Was the retention period established to minimize privacy risk?

CRM records are retained by the contractor in accordance with DAA-0048-2013-0001-0001 short-term administrative - routine administrative, temporary 3 years.

## SECTION 6: How the Agency will Secure PII

### 6.1 Will privacy and security officials coordinate to develop methods of securing PII?

Yes, the marketing director coordinated with BSEE Privacy to confirm that their proposed use of the services complies with Federal and DOI privacy requirements. The BSEE APO works with the contractor's Marketing Director and security personnel, as necessary, to analyze acceptable risks, resolve potential issues and develop methods of securing PII and other information that becomes available through the use of ACT!, Constant Contact, and LinkedIn.

There are mandatory requirements for the Marketing Director and contractor's information security personnel to complete security and privacy awareness and role-based training.

### 6.2 How will the agency secure PII? Describe how the agency will limit access to PII, and what security controls are in place to protect the PII.

The CRM program is only accessed by the Marketing Director. The Marketing Director provides information on a need-to-know basis such as when contact information is provided to Ohmsett engineers to follow-up with customers who have requested testing and research information.

The ACT! Database containing subscriber information is maintained on a secure server with multi-factor authentication (MFA) and role-based access (RBAC) controls in place. Constant Contact is responsible for protecting the security of user data stored on the Constant Contact platform. Constant Contact has implemented privacy and security controls to protect individual privacy and minimize privacy risks. The security of Constant Contact websites is managed on multiple levels, including Physical, Network, Host,



Software, and User Account Security. Constant Contact maintains internal security policies and procedures in support of its ongoing operations. Access to resources is granted only to those who reasonably require access based on their responsibilities. Constant Contact will never use contact lists for any purpose other than those described in the service's Privacy Notice. The Marketing Director only collects the minimal information needed to facilitate and manage subscription services.

The mailing list for hardcopy distribution of the Ohmsett Gazette is encrypted and password-protected prior to sending via email to the print/mail house; the password is provided separately.

The contractor must ensure that physical, technical, and administrative safeguards are in place to protect the records in their custody.

## **SECTION 7: Identification and Mitigation of Other Privacy Risks**

### **7.1 What other privacy risks exist, and how will the agency mitigate those risks?**

The contractor is mandated to maximize the usage rate of Ohmsett. It collects and maintains PII to fulfill requests for information about the facility and promote testing, research, and training opportunities. While individuals may choose to provide personal rather than business contact information, there is a relatively low risk of harm to individuals throughout the CRM information lifecycle.

During collection, there is a risk that the information could be entered inaccurately resulting in an unintended party receiving the email or physical mailing. However, individuals input their own data and check it for accuracy when subscribing to information from Ohmsett. Individuals who provide their business cards at industry events will have their data entered by the Marketing Director who checks for accuracy during input.

The use, disclosure and processing of the information may pose risks such as individuals getting information for which they did not opt-in to receive or the printer using the mailing addresses for other than its intended purpose. Individuals may opt-out from receiving specific information or any information from Ohmsett; the request is processed immediately if the unsubscribe link in an email is used for the request or by the next business day if the request is sent directly to the Marketing Director. The data is then archived prior to disposal in accordance with the records retention schedule. Electronic and physical transmissions of newsletters and mail that are undeliverable are noted by the Marketing Director who checks the information against the database to either update or archive the information, as appropriate. The contractor has an agreement with the printer to only use the mailing list for its intended purpose. The Marketing Director emails an encrypted, password-protected mailing list to the printer/ mailing house for hardcopy newsletters. The vendor validates the mailing addresses against the National Change of Address database from the U.S. Postal Service to ensure accuracy and delivery to the most current address. Access to the information is limited to contractor personnel and is



not shared with BSEE who owns the data. The information is maintained on a dedicated Ohmsett server, with multi-factor authentication (MFA) and role-based access (RBAC) controls in place.

Constant Contact is an independently operated third-party service that controls access to user data stored within its system. Ohmsett will encourage subscribers to review the Constant Contact Privacy Notice to understand how and when Constant Contact collects, uses, and shares their information. Constant Contact is responsible for protecting the security of user data stored on the Constant Contact platform. Constant Contact has implemented privacy and security controls to protect individual privacy and minimize privacy risks. The security of Constant Contact websites is managed on multiple levels, including Physical, Network, Host, Software, and User Account Security. Constant Contact maintains internal security policies and procedures in support of its ongoing operations. Access to resources is granted only to those who reasonably require access based on their responsibilities. Constant Contact will never use contact lists for any purpose other than those described in the service's Privacy Notice. Ohmsett will collect only the information needed to facilitate and manage subscription services.

The retention and destruction of information may pose risks that records are not maintained and destroyed by the contractor in accordance with its records retention schedule. The program office and Records Office work with the contractor to ensure they are following the appropriate guidance for retaining and handling the records lifecycle.

BSEE employees and contract personnel are required to complete annual Information Management and Technology (IMT) Awareness Training, which includes privacy and security training and affirming the DOI Rules of Behavior. Those with access to PII are required to also complete mandatory role-based privacy training annually.

7.2 Does the agency provide appropriate notice to individuals informing them of privacy risks associated with the use of the third-party website or application?

The Marketing Director will ensure, to the extent feasible, that subscribers are aware that Ohmsett is sponsoring the subscription activity and will provide notice to individuals on the privacy implications of the bureau's use of the CRM tools through this Adapted PIA and access to the Ohmsett Notice. Individuals who do not complete the subscription sign-up process can access content on the Ohmsett website.

A Privacy Notice is available on the Ohmsett website and has a link to the DOI privacy notice. In addition, conference attendees who sign up for subscription services are provided a privacy notice and a link to the DOI privacy policy on the sign-up form.

The email campaigns provide recipients with a link to the Ohmsett official website and the DOI website Privacy Policy.



Emails sent with Constant Contact include the following in the footer: Who the email is sent by (Ohmsett Marketing Director or the GOCO), Powered by Constant Contact, Opt-out, Update Profile, and the Constant Contact Data notice.

## **SECTION 8: Creation or Modification of a System of Records**

- 8.1 Will the agency's activities create or modify a "system of records" under the Privacy Act of 1974?

No. There is already a system of records that covers this collection. It is identified below.

- 8.2 Provide the name and identifier for the Privacy Act system of records.

INTERIOR/DOI-08, DOI Social Networks - 76 FR 44033 (July 22, 2011); modification published 86 FR 50156 (September 7, 2021)